



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/878,978	06/19/97	LINDER	5 073/053

RONALD ZIBELLI  
XEROX CORPORATION  
XEROX SQUARE 20A  
ROCHESTER NY 14644

LM32/1120

EXAMINER POON, K
---------------------

ART UNIT 2724	PAPER NUMBER
------------------	--------------

DATE MAILED: 11/20/98

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**08/878,978**

Applicant(s)  
**Stephen F. Linder**

Examiner  
**King Y. Poon**

Group Art Unit  
**2724**



☐ Responsive to communication(s) filed on \_\_\_\_\_.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-7 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-7 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 2724

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

2. (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
3. Claims 1,3, 6, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Tai.

In regard to claim 1, Tai has disclosed a system for processing object oriented image data (e.g. the text object described in the abstract).

The system has a circuit (#50 of fig.1) to parse an image into black, white and grey image data (neutral image data) and other non-black, non-white and non-grey image data (non-neutral image data) by assigning a "L\*,a\*,b\*" value to each of the different image data.

The system has another circuit (#70 of fig.1) to identify those neutral image data into black image data, grey image data, and white image data (see fig.2) and passes those data into a color correction circuit (#80 of fig.1) for further processing.

In regard to claim 3, Tai's color correction (processing) circuit (#80 of fig.1) processes the black, grey, and white image data according to a look up table (see column 3, line 66) which is a feather set.

Art Unit: 2724

In regard to claim 6 , Tai has shown us a system for processing object oriented image data that has a parsing mean (#50 of fig.1) for parsing the object oriented image data into non-neutral image data and neutral image data. - Tai further teaches the use of circuits/neutral rendering transforming means (#70 and #80 of fig.1) to transforms a color and color space of the neutral image data. Tai also shows a image processing mean (#90 of fig. 1) for processing the transformed neutral image data and the parsed non-neutral image data (see column 4 line 5-20).

In regard to claim 7, Tai teaches the use of a circuit/neutral parsing mean (#70 of fig.1) to parse the neutral image data into black image data, grey image data, and white image data. Tai also shows us a circuit/neutral image processing mean (#80 of fig.1) to process the black image data, the white image data, and the grey image data.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 4, 5, are rejected under 35 U.S.C. 103(a) as being unpatentable over Tai

In regard to claim 2, Tai discloses a processing circuit (#80 of fig. 1) which is functioning as a black processing circuit when it is processing a black image data, a grey processing circuit when it is processing a grey image data, and a white processing circuit when it is processing a

Art Unit: 2724

white image data. Even Tai has not shown three separated circuit, his processing circuit is functioning just as those three processing circuit mentioned in claim 2. It is obvious to one with ordinary skill in the art to modify Tai's invention and give it a three separate circuits because three circuits can process the three different image data at the same time instead of one at a time and increase process efficiency.

In regard to claim 4 and 5, Tai has disclosed a system capable of performing steps a, b, c and especially process step c according to a selected feature set as previously discussed. Tai's system also has a circuit (#90 of fig 1) that can further processes the processed black, white and grey image data as well as the non-neutral image data.(see column 4, line 5-20). Because Tai has shown us a system that can perform all the steps in claim 4 and 5, it is obvious to one with ordinary skill in the art to see that this is equivalent of showing us a method of performing those steps.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is (703) 305-0892 or to Supervisor Mr. David Moore whose phone number is (703) 308-7452.

Application/Control Number: 08/878978

Page 5

Art Unit: 2724

A handwritten signature in black ink, appearing to read "David K. Moore".

DAVID K. MOORE  
SUPERVISORY PATENT EXAMINER  
GROUP 2700

November 9, 1998